

## Message Text

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ACTION DLOS-07

INFO OCT-01 EA-11 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AID-20 CEQ-02 COA-02 COME-00 EB-11

EPA-04 IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11

AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01 OIC-04

DRC-01 /226 W

----- 006116

R 230303Z MAY 74

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 3918

AMEMBASSY TOKYO

C O N F I D E N T I A L SEOUL 3269

EO 11652: GDS

TAGS: PBOR, KS

SUBJECT: LAW OF THE SEA: LATEST DEVELOPMENTS ON KOREAN POSITION

REF: SEOUL 2790

TOKYO PAS TO BERNARD OXMAN

1. IN CONVERSATION WITH EMBOFF MAKING ARRANGEMENTS  
FOR OXMAN VISIT, FOREIGN MINISTRY TREATY SECTION  
CHIEF RO, CHANG-HUI REVIEWED CURRENT STATUS OF ROKG  
VIEWS ON KEY LOS ISSUES. RO'S STATEMENTS WERE AT  
SOME VARIANCE WITH LINE REPORTED IN REFTEL, WHICH  
BOTH HE AND ASIAN BUREAU COUNSELOR TOOK THREE WEEKS  
AGO. HARDENING OF POSITIONS BY MINISTRY OF NATIONAL DEFENSE AND  
OFFICE OF FISHERIES ADMINISTRATION (AND PERHAPS ROK  
CIA) AS THEY BECOME MORE INVOLVED IN PREPARATION OF  
KOREAN POSITION PAPERS MAY BE PARTIAL EXPLANATION.  
ATTITUDINAL CHANGES IN MOFA BUREAUCRACY AS MINISTER  
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KIM DONG JO STRENGTHENS HIS CONTROL OVER MINISTRY,

AND ROKG DESIRE TO MAXIMIZE ITS BARGAINING OPPORTUNITIES ALSO MAY ACCOUNT FOR POSITION REVISIONS.

2. ALTHOUGH ROKG WILL ACCEPT TWELVE-MILE TERRITORIAL SEA WITH INNOCENT PASSAGE, OBJECTIONS TO FREE TRANSIT BY NAVAL VESSELS, OVERFLIGHT BY AIRCRAFT, AND SUBMERGED TRANSIT BY SUBMARINE THROUGH INTERNATIONAL STRAITS ARE BECOMING MORE STRENUOUS, RO SAID. ROK MILITARY, STILL SMARTING OVER CHEJU STRAIT PASSAGE BY USSR VESSELS LAST YEAR, IS REPORTEDLY UNWILLING TO ACCEPT FREE TRANSIT OF KOREA OR CHEJU STRAITS BY ANY VESSELS DEEMED INIMICAL TO SOUTH KOREAN SECURITY. INNOCENT PASSAGE DOCTRINE SUBJECT TO COASTAL STATE INTERPRETATION, HOWEVER, WOULD BE ACCEPTABLE. EMBOFF STATED THERE WERE BROAD AS WELL AS NARROW SECURITY QUESTIONS TO BE CONSIDERED AND EXPRESSED HOPE THAT APPROPRIATE MND OFFICERS WOULD BE INCLUDED IN OXMAN MEETING IN ORDER TO ALLOW FULL DISCUSSION. RO HINTED THAT THIS ISSUE MORE LIKELY TO BE INFLUENCED BY ROK PERCEPTIONS OF NORTH-SOUTH RELATIONSHIPS. ANY TRANSIT BY NON FRIENDLY FOREIGNPOWER WHICH WOULD TEND TO STRENGTHEN NORTH KOREA IS SEEN BY MND AS THREAT AND AS LOSS OF FACE WHICH MUST BE PREVENTED. HE INDICATED THAT KOREAN OFFICIALS WERE AWARE OF BUT NOT CONVINCED BY U.S. POSITION ON FREE TRANSIT.

3. WITH REFERENCE TO FISHERIES, HE SEES DIFFERENCES BETWEEN U.S. AND KOREAN VIEWS, IN PARTICULAR, OFFICE OF FISHERIES ADMINISTRATION (OFA) IS CONCERNED THAT EXCESSIVE CLAIMS BY COASTAL STATES AS TO THE OUTER LIMITS OF MIGRATORY RANGE OF COASTAL FISHERY STOCKS WOULD RESTRICT KOREAN DISTANT WATER FISHERIES. OFA ALSO HAS INDICATED SOME INTEREST IN RESUMING HIGH SEAS SALMON FISHERY, BUT RO GAVE IMPRESSION THIS IS EITHER PRELIMINARY BARGAINING PLOY OR WISHFUL THINKING ON PART OF FISHERY OFFICIALS.

4. TENTATIVE POSITION ON OTHER ISSUES REMAIN SIMILAR TO VIEWS MENTIONED IN REFTEL. RO LOOKS FORWARD, HOWEVER, TO EXCHANGE OF VIEWS WITH OXMAN ON BREADTH OF COASTAL STATE ECONOMIC RESOURCE ZONE.  
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5. FURTHER REPORT AND POLICY RELATED COMMENT WILL FOLLOW OXMAN VISIT. OXMAN SCHEDULE IS SAME AS STATED IN SEOUL 2644. RESERVATIONS MADE AT CHOSUN FOR OXMAN AND AKE. CONTROL OFFICER ROGER BENSON WILL MEET AT AIRPORT. ERICSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, POLICIES, TERRITORIAL SEA LIMIT, FISHERIES, FOREIGN POLICY POSITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 23 MAY 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GarlanWA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
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**Previous Handling Restrictions:** n/a  
**Reference:** SEOUL 2790  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GarlanWA  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 31 JUL 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <31 JUL 2002 by worrelsw>; APPROVED <04 MAR 2003 by GarlanWA>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LAW OF THE SEA: LATEST DEVELOPMENTS ON KOREAN POSITION  
**TAGS:** PBOR, KS  
**To:** STATE TOKYO  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005